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RAD, A EXAMINER

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ART UNIT	PAPER NUMBER
2615	3

DATE MAILED: 10/12/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input checked="" type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-14 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-14 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).

12. ☒ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☒ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Part III DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. See attached form US-PTO form for specific informalities. Formal drawings will be required when the application is allowed.
2. The drawings are objected to because figures 3A and 3B fail to fully illustrate what is disclosed in the specification as in the following examples. Correction is required.

(a) Page 11, lines 13-17, the flag S22 is shown as being output from the picture counter (element 27) in figure 3A, not from the field memory group (element 11) as is shown. Correction to the drawing is required to indicate the appropriate output point of the picture start flag, S22, if it is output from the field memory group (element 11) as is disclosed.

(b) Page 14, lines 1-8, the mode switching means is not indicated anywhere in figures 3A or 3B. This is the first and only mention of the mode switching means in disclosure, and it is not adequately defined to the examiner where the mode switching means is located. The generated mode flag S9 is output from the motion compensation block. The indication from the drawings (figure 3A) is that the mode switching means is actually the motion compensation block. Further clarification is required.

Claim Rejections - 35 USC § 112

3. Claim 1-14 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(a) Claim 1, lines 5 and 9, "so operated as to transmit" and "to transmit" should be changed to "for transmitting".

(b) Claim 3, line 10, "the preceding control data" lacks proper antecedent basis and should be "a preceding control data".

(c) Claim 6, line 8, "the same as in kind" is vague and indefinite.

(d) Claim 10, line 1, "methods" should be "method".

(e) Claims 10-12, line 4, "first control data" should be "a first control data".

(f) Claims 10-12, lines 7-11, the limitation is unclear to the examiner. The examiner interprets the limitation to mean that a comparison is made between the stored control data and the control data in the next header data.

(g) Claim 10, line 8, "the stored control data" should be "the stored first control data".

(h) Claim 10, line 11, "the same in kind to" is vague and indefinite.

(i) Claim 10, line 8, "the same as in kind to" is vague and indefinite.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by Siracusa et al.

Siracusa discloses a picture encoding apparatus for forming an encoded picture signal of a layer structure composed of a plurality of layers (col 1, lines 34-55), comprising memory means for storing a first control data included in header data (col 6, lines 5-28), comparator means for comparing the first control data with a second data (col 7, lines 39-59), and encoder means operated to transmit as in the manner (col 7, lines 60-68; col 8, lines 1-56) indicated in claims 1 and 8.

Siracusa further discloses a picture encoding apparatus and method wherein the layer structure is in accordance with MPEG protocols (col 1, lines 34-54) as in claims 2 and 9.

Regarding claims 3-5 and 10-12, Siracusa discloses a picture decoding apparatus and method for decoding a picture signal comprised of layers (col 1, lines 34-54), with memory means for storing control data included in header data of a layer (col 9, lines 25-68), and decoding means as in the manner specified

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(col 10, lines 44-64) as in claims 3 and 10. Further, the Siracusa decoder detects the loss of control data (col 10, lines 20-44) as in claims 4 and 9. The Siracusa picture decoder operates on MPEG protocols (col 10, lines 50-66) as in claims 5 and 10.

Regarding claims 6-7 and 13-14, the Siracusa picture encoder and decoder is operable upon a first picture encoded signal and a second picture encoded signal having no control data (col 7, lines 13-38; col 1, lines 34-54) as in claims 6, 7, 13, and 14 .

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Acampora discloses an apparatus for segmenting encoded video data into transport blocks. Auvray discloses transmission synchronization across an asynchronous channel. Raychaudhuri discloses an HDTV compression system. Savatier discloses an apparatus for video data quantization control.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand Rao whose telephone number is (703) 305-4813.


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SUPERVISORY PATENT EXAMINER
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asr
October 3, 1994